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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,184	08/21/2001	Andrew Paul Sadler	5181-77301	7668

7590 , 01/12/2006

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EXAMINER

GREENE, DANIEL L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/934,184	<b>Applicant(s)</b> SADLER ET AL.	
	<b>Examiner</b> Daniel L. Greene	<b>Art Unit</b> 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

In view of the Pre-Appeal Brief Request for Review filed on 12/6/2005, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by several loops and a long horizontal stroke extending to the right.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11, 14-29, 32-42 and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. U. S. Patent 5,862,325 [Reed], and further in view of Perlman U.S. Patent 5,455,865 [Perlman].

The recitations: a method, a program element comprising program code for configuring, a computer-readable medium encoded, a computer system for routing, and a computer network comprising, have not been given patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a method, a system, an apparatus, etc. and the portion of the claim following the preamble is a self-contained description of the method or the system, etc., not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951)

As per claims 1, 15, 16, 17, 18, 19, 37, 44, and 45:

Reed discloses:

converting a message received from a sender into an internal format comprising at least an attribute part and a data part, Col. 32, lines 63-67, Col. 33, lines 1-35.

writing into said attributes part data extracted from said received message; Col. 5, lines 50-67.

Reed discloses the claimed invention except for routing said converted message in dependence on the data in said attribute part. Col. 32, lines 63-67, Col. 33, lines 1-35.

Perlman teaches that it is known in the art to provide routing said converted message in dependence on the data in said attribute part. Col. 10, lines 10-67.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the generating and transmitting of communications objects of Reed, Col. 32, lines 63-67, Col. 33, lines 1-35, with the routing said converted message in dependence on the data in said attribute part of Perlman, in order to insure the right recipients receive their intended data.

As per claims 2, 20, 30, and 38:

Reed further discloses:

comprising identifying the format in which the message was received, and writing data identifying that format into said attribute part. Col. 33, lines 48-67.

As per claims 3, 21, and 39:

Reed further discloses:

determining where to send the message is dependent on the attributes. Col. 42, lines 21-67.

As per claims 4, 22 and 40:

Reed further discloses:

authenticating the identity of the sender of the message. Col. 82, lines 50-67.

As per claims 5, 23, and 41:

Reed further discloses:

indicating a set of services to which the message is addressed. Col. 84, lines 21-67.

As per claims 6, 24, and 42:

Reed further discloses:

comprising determining whether the sender is authorized to access at least one service; Col. 107, lines 42- 67

in dependence on the result of said authorization determination, sending the converted message to the identified service. Col. 108, lines 1-35.

As per claim 7:

Reed further discloses:

in which said identified service updates the data held in the attribute part of the message. Col. 19, lines 20-67.

As per claims 8 and 25:

Reed discloses rules for load balancing and setting codes in the header to facilitate the routing of the message. Reed does not specifically teach storing a plurality of routing rules and determining whether the sender is authorized to access at least one service comprises comparing said plurality of routing rules with the attributes of a converted message. However, it would have been obvious to a person having ordinary skill in the arts to know how to modify the known prior art by incorporating the teachings of Perlman that uses encryption techniques for authorizing actions. Col. 3-4, lines 1-67.

As per claims 9 and 26:

Reed teaches about the concept of the Edifact protocol converting messages and developing a header for the routing of the message. Reed further discloses the concept of comparing the data in the different fields to determine the next action. It is well known in the art that a person skilled in the art knows verification of a digital signature. Perlman provides an example of verifying a digital signature. Col. 3-4.

As per claim 10:

Reed further discloses:

writing into said attribute part data identifying the received digital signature. Col. 52, lines 8-50, Col. 70, lines 5-15, Col. 82, lines 50-67.

As per claim 11:

Reed further discloses:

comprising storing a plurality of routing rules;  
comparing the attributes of a converted message with the routing rules; and  
routing said converted message in dependence on said comparison. Col. 47, lines 9-25, Col. 53, lines 46-67.

As per claims 14 and 32:

Reed does not expressly show if a transaction identifier is detected, searching for data identifying the status of a transaction by reference to the detected transaction identifier.

However these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The searching for data identifying the status of a transaction by reference to the detected transaction identifier steps would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of



patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to if a transaction identifier is detected, searching for data identifying the status of a transaction by reference to the detected transaction identifier because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

Further, Reed discloses updating and exchanging data. Col. 59, lines 17-60, Col. 67, lines 12-67.

As per claims 27, 33 and 34:

Reed further discloses:

a plurality of applications for converting said received message, said parser selecting at least one of said applications in dependence on the data extracted from said received message. Col. 8, lines 33-42, Col. 15, lines 1-22, Col. 22, lines 45-63, Col. 27, lines 10-35, Col. 33, lines 12-35.

As per claims 28 and 35:

Reed further discloses:

wherein said data extracted from said received message includes a message type, said parser selecting at least one of said applications in dependence on the type of a message. Col. 8, lines 33-42, Col. 15, lines 1-22, Col. 22, lines 45-63, Col. 27, lines 10-35, Col. 33, lines 12-35.

As per claim 29:

Reed further discloses:

wherein said data extracted from said received message includes protocol data, and said parser selects at least one of said applications in dependence on the protocol under which the message was received. Col. 8, lines 33-42, Col. 15, lines 1-22, Col. 22, lines 45-63, Col. 27, lines 10-35, Col. 33, lines 12-35.

***Claim Rejections - 35 USC § 103***

Claims 12, 13, 30-31 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed and Perlman as applied to claims 1-11, 14-29, 32-42 and 44-45 above, and further in view of Ginter et al. U.S. Patent 6,658,568.

As per claims 12, 30 and 43:

Reed and Perlman disclose the claimed invention except for the searching for a transaction identifier in the received message. Ginter teaches that it is known in the art to provide searching for a transaction identifier in the received message. Col. 94, lines 19-67.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the determination of the content of a message Reed and Perlman with the searching for a transaction identifier in the received message of Ginter, in order to provide the correct identity of where the message is to be routed.

As per claims 13 and 31:

Reed and Perlman disclose the claimed invention except for allocating a new transaction identifier if no transaction identifier is detected in the received message. Ginter teaches that it is known in the art to provide allocating a new transaction identifier if no transaction identifier is detected in the received message. Col. 95, lines 1-67.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the default function of Reed and Perlman with the

allocating a new transaction identifier if no transaction identifier is detected in the received message of Ginter, in order to provide assistance in the processing of a message.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schuetze et al. U.S. Patent 6,101,320. ELECTRONIC MAIL COMMUNICATION SYSTEM AND METHOD.

Valentine et al. U. S. Patent 6,327,267 B1. SYSTEMS AND METHODS FOR ROUTING A MESSAGE THROUGH A SIGNALING NETWORK ASSOCIATED WITH A PUBLIC {PSTN), INCLUDING A METHOD FOR PERFORMING GLOBAL TITLE ROUTING ON AN INTERNET PROTOCOL, (IP) ADDRESS.

Keshav et al. u. s. 5,623,605 METHODS AND SYSTEMS FOR INTERPROCESS  
COMMUNICATIONS AND INTER-NETWORK DATA TRANSFER

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 571-272-6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1/06/2006

Daniel L. Greene  
Examiner  
Art Unit 3621

DLG

*Daniel L. Greene*  
PRIMARY EXAMINER